

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 7629

BILL NUMBER: HB 1798

NOTE PREPARED: Apr 9, 2003

BILL AMENDED: Apr 7, 2003

SUBJECT: Storm water management.

FIRST AUTHOR: Rep. Bottorff

FIRST SPONSOR: Sen. Gard

BILL STATUS: As Passed - Senate

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Local

Summary of Legislation: (Amended) This bill allows a municipality under certain circumstances to adopt an ordinance providing for the control of any or all of its storm water facilities by the board that controls the municipality's municipally owned utilities. If a municipality adopts such an ordinance, the municipality is not subject to certain procedures prescribed for the sharing of costs of repairing or replacing a combined storm water and sanitary sewer system.

The bill enumerates factors that may be used to establish user fees and allows different fee schedules based on certain factors. The bill allows a county other than Marion County to establish a department of storm water management. (Current law provides that the department of public works acts as the department of storm water management in Marion County.)

This bill also provides that the drainage board of a county that has not adopted an ordinance to establish a department of storm water management may establish fees for services provided by the board to address issues of storm water quality and quantity. The bill makes conforming changes.

The bill also amends the definition of a board of a department of storm water management and provides that a board does not have exclusive jurisdiction over the collection and disposal of storm water in the district.

Effective Date: Upon passage.

Explanation of State Expenditures: There would be no impact to the state because the state would not be responsible for any additional property tax replacement.

Explanation of State Revenues:

Explanation of Local Expenditures: (Revised) Counties that establish a department of storm water management would experience expenses related to the operation of the department. Counties would also have to pay travel expenses for members of the board of public works. The specific impact would depend on local action.

The reasonable cost and value of any service rendered to the county by the storm water system by furnishing storm water collection and disposal must be charged against all the territory in the county, except territory within a municipality, and paid for as the service accrues out of current revenues of the county generated to meet the county's necessary expenses. The impact of this provision would depend upon the needs of the individual county.

Before a county imposes a tax levy, the fiscal body of the county must give public notice and hold a hearing on the proposal for the tax levy. The impact of this provision would depend on local action.

The bill allows a municipality to adopt an ordinance providing for the control of any or all of its storm water facilities by the board that controls the municipality's municipally owned utilities. If a municipality adopts such an ordinance, the municipality is not subject to certain procedures prescribed for the sharing of costs of repairing or replacing a combined storm water and sanitary sewer system. Before a municipality imposes a tax levy, the fiscal body of the municipality must give public notice and hold a hearing on the proposal for the tax levy. The impact of these provisions would depend on local action.

Explanation of Local Revenues: (Revised) The bill allows a county other than Marion County to establish a department of storm water management. The county could establish a special taxing district for this purpose and generate revenue. The bill provides that the drainage board of a county that has not adopted an ordinance to establish a department of storm water management could assess and collect user fees from all the property of the storm water district for the operation and maintenance of the storm water system. The county could also levy a special benefits tax and issue bonds to finance storm water management operations, facilities, and equipment. The amount of revenue that would be generated by the proposal would depend on local action.

State Agencies Affected:

Local Agencies Affected: Counties and municipalities.

Information Sources:

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